

REMARKS

Applicants respectfully request reconsideration and allowance of claims 1-18 that are pending in the above identified Patent Application. Applicants have amended claims 1 and 9 to place them in better form. No narrowing amendments have been made and no new matter has been added.

In numbered part 1 of the Office Action, the Examiner objected to claims 1-5 and 9-10 due to informalities in claims 1 and 9. In response, Applicants have amended claims 1 and 9 to place them in better form for examination. Applicants submit that each of the Examiner's objections has been addressed by way of the claim amendments that have been made. Accordingly, Applicants submit that the Examiner's objections have been overcome.

In numbered parts 2 and 3 of the Office Action, the Examiner rejected claims 1-18 under 35 U.S.C. § 103(a) as being obvious over the Miller reference (U.S. Patent No. 6,587,867) in view of the Galasso reference (U.S. Patent No. 6,374,302). Applicants respectfully traverse the Examiner's rejections.

The inventions as recited in independent claims 1, 6 and 11 of the instant application cover methods and apparatus that permit the completion of contact from one party to/from another party over one or more networks. For example, the contact may be a call from a calling party to a called party. The calling party establishes a connection with an apparatus, such as a first server. Notably, this apparatus is capable of determining whether the call may be completed by the apparatus vis-à-vis the relative locations of the calling party and the called party. For example, if the calling party and the called party are in the same "community" served by the apparatus, then the apparatus may complete the call as between the two parties without resort to other apparatus serving other communities. On the other hand, if the calling party is in one

community and the called party is in another community, then the apparatus serving the community of the calling party interacts with another apparatus serving the community of the called party.

In this regard, claim 1 is directed to an apparatus that includes “a stored table of information indicative a plurality of parties to be contacted and within a local community of interest, the stored table including a network address for each party within said local community of interest, and an indicator of which of at least two networks said address is a part... and a processor for determining if a request received is a request to contact a party that is within said local community of interest, and if so, completing the contact at the address and over the network stored in the table.”

In numbered part three of the Office Action, the Examiner states that “Miller does not specifically disclose contact a domain name server over the Internet if the party to be contacted is not in the local community of interest.” Applicants agree with the Examiner’s analysis of the Miller reference. This statement by the examiner, however, erroneously suggests that the Miller reference contemplates a call request to a called party that is not in a local community of interest. Indeed, the Miller reference is directed to a system in which it is assumed that all call requests can be completed. There is no capability in the Miller reference to deal with a call request that cannot be completed. A platform 10 of the Miller reference enables multiple telecommunications services to be accessible through a single telephone number of a subscriber. The single telephone number may be utilized to access paging services, facsimile services, routing services, voice mail services, calling card services, etc. The subscriber may specify what services are available to what people and at what time. The single telephone number of the subscriber may be used by other parties to reach the subscriber at any destination telephone

number programmed by the subscriber. (Col. 3, lines 10-43). A careful reading of the remainder of the Miller reference reveals that the system never contemplates receiving a call request that cannot be completed, and certainly does not contemplate receiving a call request to a party that is not within a “local community of interest” as required by independent claim 1 of the instant application. Thus, the Miller reference does not include “a processor for determining if a request received is a request to contact a party that is within said local community of interest, and if so, completing the contact at the address and over the network stored in the table” as recited by independent claim 1 of the instant application. Thus, while the Examiner correctly concludes that the Miller reference does not contemplate contacting a server over the Internet to obtain information regarding a party to be contacted that is unknown, the Miller reference is even more limiting in that it has no capability of dealing with a call request to an unknown party.

In contrast to the Miller reference, the gatekeepers of the Galasso reference always contact another entity to complete a call. Indeed, as clearly established in the Galasso reference at column 4, lines 50-63; and column 7, lines 30-67, the gatekeeper of a given zone always contacts the associated action control point serving a plurality of zones in order to complete a call between two parties. For example, in column 4, the Galasso reference states “[w]hen a terminal in one zone 100 wants to communicate with a terminal in a different zone 200, the gatekeeper in the first zone 100 sends an address inquiry, including the terminal alias of the ‘called’ terminal, to the master gatekeeper 310. The customer database associates a terminal address with one or more terminal aliases for each terminal in each zone served by the action control point 300. When the master gatekeeper 310 receives the address inquiry, it uses the customer databases 320 to determine the terminal address associated with the terminal alias.” While the above quoted section of the Galasso reference is a discussion of Fig. 2, Fig. 3 is

merely a scaled version of the system shown in Fig. 2. Thus, the apparatus within each of the zones 510, 520, etc. of Fig. 3 are not capable of determining whether a request from a party within the zone may be completed without first communicating with the action control point 550. This is precisely what the invention as recited in claim 1 seeks to avoid when the parties are in the same community.

Thus, the Examiner's combination of the Miller and Galasso references should be withdrawn as a basis to reject claim 1 of the instant application for at least three reasons: (1) because the combination of the references (to the extent that they can be properly combined, which they cannot) would result in a system that does not determine whether a called party is within a local community of interest; (2) because the combination of the references (to the extent that they can be properly combined, which they cannot) would result in a system that always contacts the associated action control point serving a plurality of zones in order to complete a call between two parties; and (3) because the Galasso reference specifically teaches away from completing a call by accessing locally stored information.

Independent method claim 6 recites that a first server receives a request to complete a telephone call to a called party and "ascertaining, at said first server, if said first server is capable of completing the telephone call..." It is only when the call cannot be completed by the first server that the first server contacts "a second server to ascertain an identity of a third server that is capable of completing the telephone call..." Again, both the Miller and Galasso reference fail to disclose or suggest an apparatus that "ascertains if it is capable of completing the telephone call" or makes any such determination prior to contacting another entity, such as the action control point (550) of the Galasso reference.

Further, claim 6 recites that the third server “includes a stored table specifying whether said communications channel is to be formed over a data network or a telephone network.” Applicants submit that the Miller and Galasso references are completely devoid of any such teaching. Indeed, none of the databases disclosed therein are described as specifying whether a communications channel between the third server and the called party is to be formed over a data network or a telephone network.

As with independent claims 1 and 6, independent claim 11 also contemplates functionality and/or actions within a given community that are neither disclosed or suggested by the Miller or Galasso references. In particular, independent claim 11 recites “determining, from said identifier, whether said called party has a network address that is part of a community associated with said first server, and if so, completing the call by establishing a communications session between said first server and said called party...” It is only when the called party is not part of a community associated with said first server that a second server is contacted “to determine a third server having a community of which said called party is a part...” Thus, as has been established hereinabove, the Miller and Galasso references fail to disclose or suggest the above quoted features of independent claim 11.

In view of the foregoing, Applicants respectfully submit that the cited combination of the Miller and Galasso references fail to suggest each and every feature recited in independent claims 1, 6, and 11 of the instant application. Accordingly, Applicants submit that the Examiner’s §103 rejection thereof should be withdrawn. Further, claims 2-5, 7-10, and 12-18 depend from independent claims 1, 6, and 11, respectively, and contain all of the limitations thereof as well as other limitations that are neither disclosed or suggested by the prior art of

record. Accordingly, Applicants submit that the subject dependant claims are likewise patentable.


In view of the foregoing, Applicants submit that the instant claims are in condition for allowance. Early and favorable action is earnestly solicited.

The Examiner is authorized to deduct any fees believed due from our Deposit Account No. 11-0223.

Respectfully submitted,

KAPLAN & GILMAN, L.L.P.
900 Route 9 North
Woodbridge, NJ 07095
Telephone (732) 634-7634

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Matthew B. Dernier
Reg. No. 40,989

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal service as first class mail, in a postage prepaid envelope, addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 31, 2004.

Dated March 31, 2004

Signed Matthew B. Dernier

Name Matthew B. Dernier